

IN THE UNITED STATES DISTRICT COURT FOR THE
DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	8:05CR294
)	
v.)	
)	
FRANCISCO ROBLES,)	ORDER
)	
Defendant.)	
_____)	

This matter is before the Court on defendant's leave to interlocutory appeal (Filing No. 202). The Court has reviewed the file and finds a certificate of appealability will not be issued. Accordingly,

IT IS ORDERED that no certificate of appealability is issued as petitioner has failed to raise a substantial constitutional issue.

DATED this 13th day of May, 2009.

BY THE COURT:

/s/ Lyle E. Strom

LYLE E. STROM, Senior Judge
United States District Court